

**LAW OFFICES OF  
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July 11, 2011

Dale Rundquist  
California Energy Commission  
1516 9<sup>th</sup> Street, MS 2000  
Sacramento, CA 95814

**DOCKET**

**07-AFC-3C**

DATE July 11 2011

RECD. July 21 2011

Re: Objection to Determination

Dear Mr. Rundquist:

I represent the Comeau Trust which, on July 5, 2011, received your June 29, 2011 Notice of Determination on the Petition to Modify the General Arrangement of the Project Site for the CPV Sentinel Energy Project (07-AFC-3C). The Comeau Trust is the owner of real property (the "Comeau Property") which is situated adjacent to the site of the CPV Sentinel Energy Project ("the Project"). The Comeau Property can be identified as Assessor Parcel Numbers 668-120-018, 668-120-020 and 668-130-023.

The Comeau Property is located in the wind tunnel northwest of Palm Springs. At the present time, it is used as a wind turbine power plant, under lease to a wind turbine power developer and operator. The existing ground lease is scheduled to expire on May 2013. And, negotiations with a successor lessee are well underway in order to re-power and continue use of the property as a wind turbine power plant with state of the art equipment.

Your Notice of Determination has caused considerable alarm. The engineering consultant retained by the Comeau Trust has expressed concern because the Project site is immediately upwind of the Comeau Property and the Project will reduce the wind flow to the Comeau Property. Further detriment to the wind assets caused by the proposed modifications to the general arrangement of Project components is unknown. The lessees in prospect (wind turbine power developers and operators) have also expressed considerable concern about the "wake impact" of the proposed 49-foot-tall (a 23% increase in height) wastewater collection tank as well as the relocation of the structures on the Project site. For the same reasons, the Comeau Trust is alarmed that the Project and the changes proposed in the Notice of Determination will cause a wasting of the valuable natural attributes of the Comeau Property and cause a precipitous decline in its economic value. On the advice of the aforementioned parties, the Comeau Trust is engaging a Meteorologist to evaluate the impact of the proposed modifications to the Project on the wind resources of the Comeau Property.

Therefore, my client objects to the pending determination and requests that you postpone any final action or approval of the modifications outlined in the Notice of Determination until the date which is ninety (90) days after receipt of the documentation requested in what follows. First, please transmit the existing plans for the Project in complete detail. (Several months ago, my client was surprised by the news articles about the Project and does not recall ever receiving

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any notices regarding the CPV Sentinel Energy Project at inception or thereafter.) Second, please transmit the plans containing the proposed modifications, also in complete detail. Third, please transmit the California Energy Commission's analysis of the impact on the wind resources of the Comeau Property under both configurations of the Project, existing plans and proposed plans. The Comeau Trust will furnish the documentation requested to a Meteorologist for analysis of the effects of the proposed modifications to the Project on the wind assets of its property.

Thank you, in advance, for your cooperation. The proposed modifications to the Project threaten severe harm to the economic value of the Comeau Property. And, my client would like a reasonable opportunity to evaluate the potential impact and, possibly, defend against a wasting of the Comeau Property.

Sincerely,



James C. Turney  
Attorney at Law

cc: The Comeau Trust